

Application No. 10/009,885
Filed: January 22, 2002
TC Art Unit: 3751
Confirmation No.: 3751

REMARKS

The instant Amendment is filed in response to the Examiner's action dated May 18, 2004. Reconsideration is respectfully requested.

Claims 7-11 and 14-16 are currently pending.

Claims 7-11 and 14-16 stand rejected.

Claims 7 and 14 have been amended.

The Applicant's Attorney wishes to thank the Examiner for affording him the opportunity to discuss the above-referenced official action in the telephonic interview held September 13, 2004, during which outstanding issues relating to claims 7-11 and 14-16 were discussed. Specifically, the Applicants' Attorney respectfully pointed out that the Applicants' claimed method is significantly different from the technique disclosed in the cited Johnson reference. For example, as recited in base claim 7 of the instant application, the Applicants' method includes the steps of impregnating an elongated element comprising a rod made of fibers with a sealing agent such that the sealing agent fills the pores or capillaries of the rod over a limited thickness of its longitudinal periphery, and setting the sealing agent so that the pores or capillaries are plugged to form a substantially airtight

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barrier. In contrast, the Johnson reference discloses passing a fiber rod through a sizing die that is heated to a temperature sufficient to melt only the outermost fibers of the rod. Accordingly, whereas the Applicants provide an airtight barrier by setting the sealing agent to plug the pores or capillaries of the fiber rod, Johnson forms an amalgamated sheath by melting the outermost fibers to fuse the fibers to each other.

Although the Examiner acknowledged the differences between the two techniques as outlined above, the Examiner indicated that the Johnson reference also discloses submerging a fiber rod in a blocking solution. In response, the Applicants' Attorney explained that the blocking agent disclosed in the Johnson reference and the sealing agent recited in base claim 7 are used for different purposes. For example, the Johnson reference discloses that the blocking agent is used to weaken the interfacial bonds formed by the epoxy binder (see column 5, lines 29-31, of Johnson). In contrast, the sealing agent of claim 7 is used to plug the pores or capillaries of the fiber rod. The Applicants' Attorney further explained that the blocking agent of the Johnson reference is vaporized by the heated die and therefore cannot be used to plug the pores or capillaries of the fiber rod.

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(see column 5, lines 31-35, of Johnson). The Examiner stated, however, that even though Johnson discloses converting the blocking agent to a vapor, it is unclear that the blocking agent is completely removed from the longitudinal periphery of the fiber rod. Because there may still be some blocking agent on the longitudinal periphery of Johnson's fiber rod, the Examiner indicated that he believes that the Applicants' claim 7 reads on the Johnson reference. To further distinguish the Applicants' claimed invention, the Examiner suggested that the Applicants amend claim 7 to specify the dimensions of the "limited thickness" over which the sealing agent fills the pores or capillaries of the fiber rod. For example, the instant application discloses that the limited thickness lies in the range of 0.01 mm to 1 mm (see page 2, line 27, of the application).

The Applicants have therefore amended claim 7 to include this range of dimensions. Specifically, claim 7 has been amended to include the limitation "said bath diffuses into the elongate element and fills the pores or capillaries of the rod over a limited thickness of its longitudinal periphery, said limited thickness ranging from about 0.01 mm to 1 mm." Similarly, the

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Applicants have amended claim 14 to include the limitation "said limited thickness ranging from about 0.01 mm to about 1 mm".

The Examiner has rejected claims 7-11 and 14-15 under 35 U.S.C. 102(b) as being anticipated by Johnson. Because the fiber rod disclosed in the Johnson reference does not have a sealing agent filling pores or capillaries thereof over a limited thickness lying in the range of 0.01 mm to 1 mm, as recited in amended claims 7 and 14, the Applicants respectfully submit that the Johnson reference does not anticipate claims 7 and 14 and the claims dependent therefrom. Accordingly, the Applicants respectfully submit that the outstanding rejections of the claims under section 102 of the Patent Laws are unwarranted and should be withdrawn.

The Examiner has also rejected claim 16 under 35 U.S.C. 103(a) as being unpatentable over Johnson in view of Hori. The Applicants respectfully submit, however, that the cited Hori reference does not cure the deficiencies of the Johnson reference, and therefore the suggested combination of the Johnson and Hori references does not render claim 16 obvious. Accordingly, the Applicants respectfully submit that the rejection of claim 16

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under section 103 of the Patent Laws is unwarranted and should be withdrawn.

In view of the foregoing, it is respectfully submitted that the present application is in a condition for allowance. Early and favorable action is respectfully requested.

The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,
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